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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,263	09/10/2003	Benedicto H. Dominguez	VISAP073	5063

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EXAMINER
HAYES, JOHN W

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/660,263	DOMINGUEZ ET AL.
Office Action Summary	Examiner	Art Unit	
	John W Hayes	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *6 total*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 20050118

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-5, 23-24, 37, 39-40, 46-47 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Carrott et al, U.S. Patent No. 6,839,692 B2.

As per **Claim 1**, Carrott et al disclose a method involving a presenter, a trusted party, and an acceptor for validating profile data of said presenter during an on-line transaction comprising:

- receiving said profile data at said trusted party (Col. 2, lines 5-10; Col. 3, lines 4-10; Col. 4, lines 8-18; Col. 5, lines 25-38 and 55-67; Col. 6, lines 60-65);

- comparing said profile data against reference data stored by said trusted party (Col. 2, lines 5-10 and 20-33; Col. 3, lines 4-10; Col. 7, lines 4-10 and 17-25);

- notifying said acceptor by said trusted party that said profile data of said presenter is either authentic or erroneous, whereby said trusted party validates said profile data of said presenter for the benefit of said acceptor (Col. 2, lines 5-10 and 20-33; Col. 7, lines 24-42).

As per **Claims 4-5**, Carrott et al further disclose wherein the presenter and the acceptor communicate with said trusted party over the Internet (Abstract; Figure 1; Col. 3, lines 45-55; Col. 8, lines 10-15).

As per **Claims 23-24**, Carrott et al further disclose providing, by the trusted party, of updated profile data when the profile data is determined to be out of date (Col. 2, lines 25-33).

As per **Claim 37**, Carrott et al disclose a method involving a presenter, a trusted party, and an acceptor for providing at least some profile data of said presenter during an on-line transaction to said acceptor comprising:

- querying said trusted party by said acceptor for said trusted party to provide said profile data to said acceptor (Figure 2; Col. 2, lines 20-33; Col. 5 line 60-Col. 6 line 3; Col. 7, lines 24-34); and

- providing profile data of said presenter, by said trusted party, to said acceptor (Col. 2, lines 20-33; Col. 5 line 60-Col. 6 line 3; Col. 7, lines 24-34).

As per **Claims 39-40**, Carrott et al further disclose wherein the presenter, acceptor and trusted party communicate over the Internet (Abstract; Figure 1; Col. 3, lines 45-55; Col. 8, lines 10-15).

As per **Claim 46**, Carrott et al further disclose wherein the identity and profile data include at least the name and address of the presenter (Col. 2, lines 20-33; Col. 5 line 60-Col. 6 line 3; Col. 7, lines 24-34).

As per **Claims 47 and 50**, Carrott et al further disclose transmitting a data authentication request message from said acceptor to said trusted party in order to request that said trusted party provide said profile data of said presenter (Figure 2; Col. 2, lines 20-33; Col. 5 line 60-Col. 6 line 3; Col. 7, lines 24-34); and transmitting a data authentication response message from said trusted party to said acceptor, said data authentication response message containing said profile data of said presenter (Col. 2, lines 20-33; Col. 5 line 60-Col. 6 line 3; Col. 7, lines 24-34).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections

set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 2-3, 6-22, 25-36, 38, 41-45, 48-49 and 51-54 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Carrott et al, U.S. Patent No. 6,839,692 B2 in view of Lake et al, U.S. Patent

Application Publication No. US 2002/0091646 A1.

As per **Claims 2, 38 and 41**, Carrott et al further disclose local user authentication wherein the

user inputs a user ID and password which is then verified by the users computer prior to proceeding (Col.

5, lines 57-63; Col. 6, lines 20-25). Carrott et al, however, fail to explicitly disclose receiving

authentication data at a trusted party, comparing the authentication data against pre-designated

authenticating data previously designated for the user and notifying the acceptor that the identity of the

presenter is authentic for the benefit of the acceptor. Lake et al disclose a method for verifying the

identity of on-line credit card purchasers and further teach receiving, at a trusted party, authenticating

data from the presenter (0006-0008; 0011; 0028; 0037); comparing, by the trusted party, the

authenticating data against pre-designated authenticating data previously designated for the presenter

(0021; 0022; 0024; 0025; 0028; 0033; 0035; 0036; 0038) and notifying the acceptor by the trusted party

that the identity of the presenter is either authentic or erroneous, whereby the trusted party authenticates

the identity of the presenter for the benefit of the acceptor (0024; 0025; 0036; 0038). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of

Carrott et al and include authenticating the identity of the purchaser as taught by Lake et al so that the

merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides

motivation by indicating that there is a need for a method or system for verifying the identity of an on-line

purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use

the credit card presented for payment (0005).

As per **Claims 3 and 6,** Carrott et al further disclose notifying the acceptor that the profile data is authentic when the profile data matches the reference data (Col. 2, lines 5-10 and 20-33; Col. 7, lines 24-42). Carrott et al, however, fail to explicitly disclose notifying the acceptor that the identity is authentic when the authenticating data received from the presenter matches the pre-designated authenticating data. Lake et al disclose a method for verifying the identity of on-line credit card purchasers and further teach notifying the acceptor that the identity is authentic when the data matches (0024; 0025; 0036; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 7-8 and 42-43**, Carrott et al fail to disclose, however, Lake et al disclose receiving and storing authenticating data from the presenter at the trusted party wherein the authenticating data becomes the pre-designated authenticating data (0007). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include receiving and storing, at the trusted party, authenticating data of the purchaser as pre-designated authenticating data for purposes of authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 9-10 and 44-45**, Carrott et al fail to disclose, however, Lake et al disclose providing, by the trusted party, to the presenter a program identity number which is correlated with the identity, profile data and authenticating data and storing the program identity number by the trusted party (0007; 0031; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to modify the method of Carrott et al and include a program identity number such as an account

number, unique identifier or other code of some sort issued and stored by the trusted party so that the

trusted party has a unique number or code associated with the presenter as taught by Lake et al and

which may be used later to identify the presenter or an account maintained by the trusted party.

As per **Claims 11-12 and 14-17**, Carrott et al further disclose initiating communications between

the presenter and acceptor and receiving profile data and a program identity number at the acceptor for

the presenter (Col. 4, lines 5-18; Col. 5, lines 25-38). Carrott et al, however, fail to explicitly disclose

receiving identity data at the acceptor. Lake et al disclose a method for verifying the identity of on-line

credit card purchasers and further teach receiving, at a trusted party, authenticating data from the

presenter (0006-0008; 0011; 0028; 0037); comparing, by the trusted party, the authenticating data

against pre-designated authenticating data previously designated for the presenter (0021; 0022; 0024;

0025; 0028; 0033; 0035; 0036; 0038) and notifying the acceptor by the trusted party that the identity of

the presenter is either authentic or erroneous, whereby the trusted party authenticates the identity of the

presenter for the benefit of the acceptor (0024; 0025; 0036; 0038). It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include

authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that

the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that

there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a

reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for

payment (0005).

As per **Claim 13**, Carrott et al further disclose querying the trusted party by the acceptor whether

account data updating can be provided (Col. 2, lines 25-33).

As per **Claims 18 and 20-21**, Carrott et al further disclose transmitting a data authentication

request message from said acceptor to said trusted party in order to request that said trusted party

validate said profile data of said presenter as discussed above. Carrott et al, however, fail to disclose

requesting that the third party authenticate the identity of the presenter. Lake et al disclose a method for requesting that the trusted party verifying the identity of on-line credit card purchasers and further teach notifying the acceptor that the identity is authentic when the data matches (0024; 0025; 0036; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 19, 22, 48 and 51**, Carrott et al and Lake et al disclose transmitting a data authentication response message from the trusted party to the acceptor, however, fail to transmit this message via the presenter. Examiner takes Official Notice, however, that routing authentication response messages to an acceptor such as a merchant via a presenter such as a purchaser is well known in the art and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to route the message in this fashion depending upon the configuration and desired message routing.

As per **Claims 25, 27, 52 and 54**, Carrott et al disclose an on-line data authentication system comprising:

- a trusted party who receives, validates and provides profile data of a presenter (Figure 1; Col. 2, lines 5-10 and 20-33; Col. 3, lines 4-10; Col. 4, lines 8-18; Col. 5, lines 25-38 and 55-67; Col. 6, lines 60-65; Col. 7, lines 4-10 and 17-25); ;

- an acceptor who conducts a transaction with said presenter and who requests said trusted party to validate said profile data of said presenter (Figure 1; Col. 6, lines 60-67; Col. 7, lines 1-10); and

a directory server configured to determine the existence of said trusted party who will be able to validate said profile data of said presenter (Col. 6, lines 60-67; Col. 7, lines 1-10).

Carrott et al further disclose local user authentication wherein the user inputs a user ID and password which is then verified by the users computer prior to proceeding (Col. 5, lines 57-63; Col. 6,

lines 20-25). Carrott et al, however, fail to explicitly disclose receiving authentication data at a trusted

party, and an acceptor requesting the trusted party to authenticate the identity of the presenter. Lake et

al disclose a method for verifying the identity of on-line credit card purchasers and further teach receiving,

at a trusted party, authenticating data from the presenter (0006-0008; 0011; 0028; 0037); comparing, by

the trusted party, the authenticating data against pre-designated authenticating data previously

designated for the presenter (0021; 0022; 0024; 0025; 0028; 0033; 0035; 0036; 0038) and notifying the

acceptor by the trusted party that the identity of the presenter is either authentic or erroneous, whereby

the trusted party authenticates the identity of the presenter for the benefit of the acceptor (0024; 0025;

0036; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to modify the method of Carrott et al and include authenticating the identity of the purchaser as

taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the

credit card. Lake et al provides motivation by indicating that there is a need for a method or system for

verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in

fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 26 and 53**, Carrott et al further disclose wherein the presenter and the acceptor

communicate with said trusted party over the Internet (Abstract; Figure 1; Col. 3, lines 45-55; Col. 8, lines

10-15).

As per **Claim 28**, Carrott et al fail to disclose, however, Lake et al disclose receiving and storing

authenticating data from the presenter at the trusted party wherein the authenticating data becomes the

pre-designated authenticating data (0007). It would have been obvious to one of ordinary skill in the art

at the time of applicant's invention to modify the method of Carrott et al and include receiving and storing,

at the trusted party, authenticating data of the purchaser as pre-designated authenticating data for

purposes of authenticating the identity of the purchaser as taught by Lake et al so that the merchant is

ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by

indicating that there is a need for a method or system for verifying the identity of an on-line purchaser,

and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 29-30**, Carrott et al fail to disclose, however, Lake et al disclose providing, by the trusted party, to the presenter a program identity number which is correlated with the identity, profile data and authenticating data and storing the program identity number by the trusted party (0007; 0031; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include a program identity number such as an account number, unique identifier or other code of some sort issued and stored by the trusted party so that the trusted party has a unique number or code associated with the presenter as taught by Lake et al and which may be used later to identify the presenter or an account maintained by the trusted party.

As per **Claims 31-32**, Carrott et al disclose a request message transmitted from the acceptor to the trusted party via a directory server, the message containing a query as to whether the trusted party will be able to validate the profile data of the presenter (Col. 6, lines 45-67) and a response message for validating the profile data of the presenter (Col. 2, lines 5-10 and 20-33; Col. 7, lines 24-42). Carrott et al, however, fail to disclose transmitting a message to the third party querying the third party as to whether the third party will be able to authenticate the identity of the presenter. Lake et al disclose a method for requesting that the trusted party verifying the identity of on-line credit card purchasers and further teach notifying the acceptor that the identity is authentic when the data matches (0024; 0025; 0036; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claims 33-36**, Carrott et al disclose a request message transmitted from the acceptor to the trusted party via a directory server, the message requesting that the trusted party validate the profile data of the presenter, the request message including profile data of the presenter (Col. 2, lines 5-10; Col. 3, lines 4-10; Col. 4, lines 8-18; Col. 5, lines 25-38 and 55-67; Col. 6, lines 60-65) and a response message for validating the profile data of the presenter and whether or not the profile data is accurate or contains errors (Col. 2, lines 5-10 and 20-33; Col. 7, lines 24-42). Carrott et al, however, fail to disclose transmitting a message to the third party requesting that the third party authenticate the identity of the presenter. Lake et al disclose a method for requesting that the trusted party verifying the identity of on-line credit card purchasers and further teach notifying the acceptor that the identity is authentic when the data matches (0024; 0025; 0036; 0038). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Carrott et al and include authenticating the identity of the purchaser as taught by Lake et al so that the merchant is ensured that the purchaser is the authorized user for the credit card. Lake et al provides motivation by indicating that there is a need for a method or system for verifying the identity of an on-line purchaser, and ensuring to a reasonable extent that the purchaser is in fact the party authorized to use the credit card presented for payment (0005).

As per **Claim 49**, Carrott et al fail to disclose, however, Lake et al disclose requesting the presenter, by the trusted party, for the authenticating data (0007; 0011; 0024; 0028; 0031; 0038). Carrott et al, however, fail to disclose asking the presenter, by the trusted party, for permission to provide the profile data of the presenter to the acceptor. Examiner takes Official Notice, however, that utilizing a third party entity to essentially filter customer personal or profile data provided to merchants based on permissions controlled by the customer is well known in the art and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the reference to Carrott et al and include the ability to filter the information provided to the merchant. One would have been motivated to filter this type of customer personal or profile data since it was well known at the time of applicant's invention that consumers were generally concerned about divulging personal or private information.

Double Patenting

5.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6.   Claims 1, 25 and 52 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 09/842,313 in view of Carrott et al, U.S. Patent No. 6,839,692 B2.

As per Claims 1-2, 25 and 52, claim 7 of copending application no. 09/842,313 recites all the claim limitations except for receiving and comparing profile data of the presenter and notifying an acceptor that the profile data is either authentic or erroneous. Carrott et al discloses these limitations in accordance with the discussion above. Accordingly, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify claim 7 of copending application no. 09/842,313 and include receiving and comparing profile data of the presenter and notifying an acceptor that the profile data is either authentic or erroneous as taught by Carrott et al so that the acceptor can be assured that the information is correct before carrying out a transaction with the presenter.

This is a <u>provisional</u> obviousness-type double patenting rejection.

7.   Claims 1, 25 and 52 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/156,271 in view of Carrott et al, U.S. Patent No. 6,839,692 B2.

As per Claims 1-2, 25 and 52, claim 7 of copending application no. 10/156,271 recites all the claim limitations except for receiving and comparing profile data of the presenter and notifying an acceptor that the profile data is either authentic or erroneous. Carrott et al discloses these limitations in accordance with the discussion above. Accordingly, it would have been obvious to one having ordinary

skill in the art at the time of applicant's invention to modify claim 7 of copending application no.

09/842,313 and include receiving and comparing profile data of the presenter and notifying an acceptor

that the profile data is either authentic or erroneous as taught by Carrott et al so that the acceptor can be

assured that the information is correct before carrying out a transaction with the presenter.

This is a provisional obviousness-type double patenting rejection.

Conclusion

8. **Examiner's Note**: Examiner has cited particular columns and line numbers in the references as

applied to the claims below for the convenience of the applicant. Although the specified citations are

representative of the teachings in the art and are applied to the specific limitations within the individual

claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in

preparing the responses, fully consider the references in entirety as potentially teaching all or part of the

claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the

examiner.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

• Kuo discloses a process and method for secure online transactions to reduce fraud by including a

consumer authentication code which is verified by a host processor

• Sixtus discloses a method for secure online transactions and teaches authenticating a users computer

and therefore the user when carrying out transactions

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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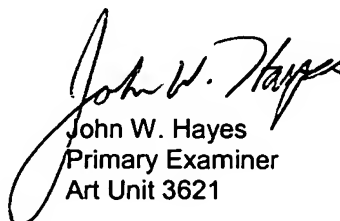
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or faxed to:

(703) 872-9306 [Official communications; including
                    After Final communications labeled
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(703) 746-5531   [Informal/Draft communications, labeled
                    "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

John W. Hayes
Primary Examiner
Art Unit 3621

January 19, 2005